

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.CR.C. No. 8730 of 2020**

Paras Ram Dhiwer, S/o. Late Shri Baharta, aged about 65 years, R/o. Village Kurda, P.S. and Tahsil - Champa, District Janjgir Champa Chhattisgarh.

**---- Applicant****Versus**

State of Chhattisgarh, Through : S.H.O., P.S. Champa, District Janjgir Champa Chhattisgarh.

**---- Respondent**


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| For Applicant        | : Mr. Ravindra Sharma, Advocate         |
| For Respondent/State | : Mr. Gurudev I. Sharan, Govt. Advocate |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****Order On Board****03/02/2021**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.238/2020, registered at Police Station –Champa, District – Janjgir-Champa (C.G.) for the offence punishable under Section 354, 454 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. False FIR has been lodged against the applicant because of the family dispute and no such incident has occurred. The applicant is in jail since 03.09.2020 and charge-sheet in this case has been filed. Hence, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the learned Special Court has rightly rejected the application for bail of this applicant and looking to the evidence present against him, he is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, it is alleged that this applicant committed house trespass in the house of the minor prosecutrix of age about 16 years and then by molesting her, he has outraged her modesty.
6. Considered on the submissions and the facts of the case. The case is now pending for trial after filing of the charge-sheet and the applicant is in jail since about five months and there appears to be no specific reason to keep this applicant in continued detention till the conclusion of trial, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

**Sd/-**  
**(Rajendra Chandra Singh Samant)**  
Judge